

E AND R AMENDMENTS TO LB 108

Introduced by Larson, 40, Chairperson Enrollment and Review

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new section:

3           Section 1. Every person liable to contribute to the  
4 construction and maintenance of a division fence or any portion  
5 thereof shall maintain his or her portion in good repair, including  
6 the necessary removal or trimming of trees and woody growth within  
7 or encroaching upon the fenceline to repair or avoid damage to,  
8 or dislocation of, the division fence. The occurrence of trees  
9 and woody growth within or encroaching upon a division fence that  
10 causes damage to, or dislocation of, the fence shall constitute a  
11 private nuisance to the adjacent landowner's possessory interests  
12 in his or her land.

13           2. On page 1, strike beginning with "amend" in line 1  
14 through line 4 and insert "require maintenance of division fences  
15 as prescribed."